

EXHIBIT 2

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Attorneys for Defendant, Google LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

CHASOM BROWN, *et al.*, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

GOOGLE LLC,
Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**DEFENDANT'S SECOND AMENDED
DISCLOSURES PURSUANT TO FED. R.
CIV. P. 26(a)(1)**

Judge: Honorable Yvonne Gonzalez Rogers

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Defendant Google LLC (“Google”) hereby provides the following Amended Disclosures (“Disclosures”) to Plaintiffs.

GENERAL OBJECTIONS AND LIMITATIONS

Google makes these Disclosures based on the information reasonably available to it as of the present date. Google reserves the right to supplement, amend, modify, or alter these Disclosures as new information becomes available. These disclosures represent a good-faith effort to identify information that Google reasonably believes it may use to support one or more of its various claims or defenses. By making the following disclosures, Google does not represent that every individual or entity identified herein necessarily possesses such information or that the individual or entity possesses relevant information. Nor does Google represent that it is identifying every document, tangible thing, or witness it may use to support its claims or defenses. Google employees may only be contacted through Google’s counsel. Google reserves the right to amend these Disclosures as additional information becomes available, through discovery or otherwise. Google also reserves the right to call any witness, including the right to identify expert witnesses, or present any exhibit or item at trial not listed herein but determined through discovery, investigation, or otherwise to support its claims or defenses.

By making these Disclosures, Google does not waive its right to object to discovery of any information based on disclosures herein on the grounds of the attorney-client privilege, work-product doctrine, or any other applicable privilege, immunity, law, or rule. Nor does Google waive its right to assert any other objection authorized by the Federal Rules of Civil Procedure or any other applicable rule or law in response to interrogatories, requests for admission, requests for production of documents, questions at depositions, or any other discovery requests involving or relating to the subject matter of these disclosures.

All of the disclosures set forth below are made subject to the above objections and qualifications.

I. Individuals (Fed. R. Civ. P. 26(a)(1)(A)(i))

Google identifies the following individuals likely to have discoverable information that Google may use to support its claims or defenses. Google reserves the right to supplement or amend

1 this disclosure pursuant to Rule 26(e) of the Federal Rules of Civil Procedure if additional
 2 individuals or subjects are identified. The following list shall not be interpreted to be an admission
 3 that any of the listed individuals will have discoverable information.

4 All communications with the individuals listed below for which “Quinn Emanuel Urquhart
 5 & Sullivan, LLP; 865 S. Figueroa Street, 10th Floor, Los Angeles, CA 90017” is listed as the address
 6 should be made through Google’s counsel of record. To the extent that Google currently is aware
 7 of the contact information for any disclosed individual, it has been provided below.

8 By indicating the general subject matter of information these individuals may possess,
 9 Google is in no way limiting its right to call any individual listed to testify concerning other subjects.

Name	Contact Information	Connection to the Case	Subject
Justin Schuh	May be reached through counsel for Google Quinn Emanuel Urquhart & Sullivan, LLP 865 S. Figueroa Street, 10th Floor Los Angeles, CA 90017 (213) 443-3000	Former Google employee	Information concerning the purpose and function of the Chrome browser’s Incognito mode
AbdelKarim Mardini	May be reached through counsel for Google Quinn Emanuel Urquhart & Sullivan, LLP 865 S. Figueroa Street, 10th Floor Los Angeles, CA 90017 (213) 443-3000	Google employee	Information concerning the purpose and function of the Chrome browser’s Incognito mode and Google’s disclosures regarding Incognito mode

Name	Contact Information	Connection to the Case	Subject
Deepti Bhatnagar	May be reached through counsel for Google Quinn Emanuel Urquhart & Sullivan, LLP 865 S. Figueroa Street, 10th Floor Los Angeles, CA 90017 (213) 443-3000	Google employee	Information concerning functionality of Google Ad Manager
Glenn Berntson	May be reached through counsel for Google Quinn Emanuel Urquhart & Sullivan, LLP 865 S. Figueroa Street, 10th Floor Los Angeles, CA 90017 (213) 443-3000	Google employee	Information concerning publisher websites' use of Google Ad Manager and Google's disclosures regarding its receipt of data from its services on third-party websites (<i>e.g.</i> , Google Ad Manager and Analytics)
Steve Ganem	May be reached through counsel for Google Quinn Emanuel Urquhart & Sullivan, LLP 865 S. Figueroa Street, 10th Floor Los Angeles, CA 90017 (213) 443-3000	Google employee	Information concerning functionality and publisher websites' use of Google Analytics and Google's disclosures regarding its receipt of data from its services on third-party websites (<i>e.g.</i> , Google Ad Manager and Analytics)

Name	Contact Information	Connection to the Case	Subject
George Levitte	May be reached through counsel for Google Quinn Emanuel Urquhart & Sullivan, LLP 865 S. Figueroa Street, 10th Floor Los Angeles, CA 90017 (213) 443-3000	Google employee	Information concerning Google Ad Manager's monetization of inventory
Brian Rakowski	May be reached through counsel for Google Quinn Emanuel Urquhart & Sullivan, LLP 865 S. Figueroa Street, 10th Floor Los Angeles, CA 90017 (213) 443-3000	Google employee	Information concerning the origins of Chrome browser's Incognito mode
Chris Liao	May be reached through counsel for Google Quinn Emanuel Urquhart & Sullivan, LLP 865 S. Figueroa Street, 10th Floor Los Angeles, CA 90017 (213) 443-3000	Google employee	Information concerning Google's processing and storage of data received through Google Ad Manager

Name	Contact Information	Connection to the Case	Subject
Adrienne Porter Felt	May be reached through counsel for Google Quinn Emanuel Urquhart & Sullivan, LLP 865 S. Figueroa Street, 10th Floor Los Angeles, CA 90017 (213) 443-3000	Google employee	Information concerning the purpose and function of the Chrome browser's Incognito mode and Google's disclosures regarding Incognito mode
Greg Fair	May be reached through counsel for Google Quinn Emanuel Urquhart & Sullivan, LLP 865 S. Figueroa Street, 10th Floor Los Angeles, CA 90017 (213) 443-3000	Former Google employee	Information concerning Google's disclosures regarding data collection practices and Google systems that obtain and record user consent
Michael Kleber	May be reached through counsel for Google Quinn Emanuel Urquhart & Sullivan, LLP 865 S. Figueroa Street, 10th Floor Los Angeles, CA 90017 (213) 443-3000	Google employee	Information concerning the purpose and function of the Chrome browser's Incognito mode

Name	Contact Information	Connection to the Case	Subject
Jonathan McPhie	May be reached through counsel for Google Quinn Emanuel Urquhart & Sullivan, LLP 865 S. Figueroa Street, 10th Floor Los Angeles, CA 90017 (213) 443-3000	Former Google employee	Information concerning Google's disclosures regarding data collection practices and Google systems that obtain and record user consent
Caitlin Sadowski	May be reached through counsel for Google Quinn Emanuel Urquhart & Sullivan, LLP 865 S. Figueroa Street, 10th Floor Los Angeles, CA 90017 (213) 443-3000	Google employee	Information concerning Chrome Incognito mode and user data related to same

In addition to the individuals identified above, Google incorporates by reference the witnesses and their possible subjects of testimony disclosed by Plaintiffs in their Disclosures and any amended Disclosures, as well as those individuals identified by Plaintiffs through discovery, declaration, or other means, those individuals whose names appear on produced documents as if set forth in full herein, and those individuals deposed or to be deposed in this case. Google has not yet identified all expert witnesses upon whose opinions and testimony it may rely in this matter.

II. Documents, Electronically Stored Information, and Tangible Things (Fed. R. Civ. P. 26(a)(1)(A)(ii))

The categories and locations, where known, of non-privileged documents, electronically stored information, and tangible things in Google's possession, custody, or control that Google may use to support its claims or defenses include:

1. Google's publicly available disclosures related to the data it collects, including Google's Privacy Policies, Terms of Service, and Chrome Privacy Notice;
2. Documents from Google Help Center;
3. Documents from Google Chrome Help Center;
4. Documents from Google Analytics Help Center;
5. Documents from Google Analytics Measurement Protocol Guides;
6. Documents from Google Ad Manager Help Center;
7. Documents from Google Platforms Policies Help Center;
8. Documents related to Plaintiffs' use of Google services;
9. Documents related to Plaintiffs' request for damages or other relief in this litigation; and
10. Publicly available information related to Google's Terms of Service, Privacy Policy, Chrome Privacy Notice, Chrome Incognito Mode, Google Ads, and Google Analytics.

In addition to the above-identified categories of documents, Google incorporates by reference the categories of documents disclosed by Plaintiffs in their Disclosures and any amended Disclosures, and any documents identified by Plaintiffs through discovery, declaration, or other means.

Google expressly reserves the right to supplement this response under Rule 26(e) of the Federal Rules of Civil Procedure as its investigation continues.

III. Damages (Fed. R. Civ. P. 26(a)(1)(A)(iii))

Google is not presently seeking any damages in this matter. Google reserves the right to assert counterclaims against Plaintiffs or claims against other parties in the future and to seek related damages, and it will supplement its Disclosures accordingly at that time. Google also reserves its right to seek recovery of attorneys' fees and costs in amounts to be determined at an appropriate stage.

IV. Insurance Agreements (Fed. R. Civ. P. 26(a)(1)(A)(iv))

Google is not aware of any insurance agreement under which any person carrying on an

1 insurance business may be liable to satisfy part or all of a judgment which may be entered in the
2 action or to indemnify or reimburse for payments made to satisfy the judgment.

3 Google expressly reserves the right to supplement its responses pursuant to Rule 26(e) of the
4 Federal Rules of Civil Procedure as its investigation continues.

5
6 DATED: August 17, 2023

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 865 S. Figueroa Street, 10th Floor, Los Angeles, CA 90017.

On August 17, 2023, I served true copies of the following document(s) described as **DEFENDANT'S SECOND AMENDED DISCLOSURES PURSUANT TO FED. R. CIV. P. 26(a)(1)** on the interested parties in this action as follows:

SEE ATTACHED LIST

BY E-MAIL OR ELECTRONIC TRANSMISSION: I transmitted PDF format copies of the document(s) described above to the e-mail addresses on the attached Service List pursuant to the agreement between the parties to serve discovery, in lieu of other service methods, by email under Fed. R. Civ. P. 5(b)(2)(E) (*see* Joint Case Management Statement § VIII.E, Docket No. 59). The documents were transmitted by electronic transmission and such transmission was reported as complete and without error.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on August 17, 2023 at Los Angeles, California.

/s/ Geoffrey Grundy
Geoffrey Grundy

SERVICE LIST

Brown v. Google LLC
Case No. 4:20-cv-03664-YGR-SVK

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